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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 GISTARVE RUFFIN, JR.,

Case No. 3:16-cv-00157-MMD-VPC

10 Petitioner,

ORDER

11 v.

12 ISIDRO BACA, et al.,

13 Respondents.

14 On February 9, 2018, this Court denied 28 U.S.C. § 2254 habeas petitioner
15 Gistarve Ruffin, Jr.'s motion for appointment of counsel (ECF No. 16). The order was
16 served on Ruffin's address of record via U.S. Mail (see ECF No. 16). On February 15,
17 2018, the order was returned as undeliverable, bearing the notations "return to sender,
18 unable to forward, and paroled/discharged." (ECF No. 18.) The Nevada Department of
19 Corrections website reflects that Ruffin has been paroled. Ruffin, however, has failed to
20 comply with Local Rule IA 3-1, which requires an attorney or *pro se* party to immediately
21 file a notice of change of mailing address with the court.¹ Thus, this action will be
22 dismissed for failure to comply with LR IA 3-1.

23 It is therefore ordered that this action is dismissed as set forth in this order.

24 It is further ordered that a certificate of appealability is denied.

25 It is further ordered that respondents' motion to dismiss (ECF No. 9) is denied as
26 moot.

27 ¹The NDOC website also reflects that Ruffin's last parole hearing was in July 2017.
28 The Court further notes that Ruffin failed to respond to respondents' June 29, 2017,
motion to dismiss.

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It is further ordered that the Clerk shall enter judgment and close this case.
DATED THIS 1st day of March 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE